

JOURNAL OF THE HOUSE

Fifty-eighth Legislative Assembly

* * * * *

Bismarck, February 4, 2003

The House convened at 1:00 p.m., with Speaker Wentz presiding.

The prayer was offered by Rev. Clyde Leimberer, Chaplain, Baptist Home, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

REP. BERG MOVED that the amendments on the Sixth order of business to HB 1100, HB 1114, HB 1145, HB 1192, HB 1216, HB 1220, HB 1223, HB 1258, HB 1305, HB 1333, HB 1343, HB 1346, HB 1363, HB 1372, HB 1378, HB 1391, HB 1394 and HB 1444 be adopted, which motion prevailed.

HB 1100, HB 1114, HB 1145, HB 1192, HB 1216, HB 1220, HB 1223, HB 1258, HB 1305, HB 1333, HB 1343, HB 1346, HB 1363, HB 1372, HB 1378, HB 1391, HB 1394 and HB 1444, as amended, were placed on the Eleventh order of business on the calendar.

SIXTH ORDER OF BUSINESS

HB 1250: REP. DEVLIN (Government and Veterans Affairs Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**,

REQUEST

REP. GULLESON REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1250, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1250, the roll was called and there were 66 YEAS, 28 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovda; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier; Monson; Nelson; Nicholas; Norland; Nottestad; Pollert; Porter; Price; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

NAYS: Aarsvold; Amerman; Boe; Boucher; Delmore; Eckre; Ekstrom; Froelich; Glassheim; Gulleason; Hanson; Hunskor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Mueller; Niemeier; Onstad; Pietsch; Potter; Sandvig; Schmidt; Solberg; Thorpe; Warner; Winrich; Zaiser

The motion to adopt the amendments to HB 1250 passed.

MOTION

REP. BERG MOVED that the rules be suspended and that HB 1250, as amended, be placed on the Eleventh order for immediate second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1250: A BILL for an Act to amend and reenact sections 16.1-13-10 and 44-02-02 of the North Dakota Century Code, relating to filling a vacancy in a legislative office and resignation of a member of the legislative assembly.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 67 YEAS, 27 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovda; Froseth; Galvin; Grande; Grosz; Haas;

Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier; Monson; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

NAYS: Aarsvold; Amerman; Boe; Boucher; Delmore; Eckre; Ekstrom; Froelich; Glassheim; Gulleeson; Hanson; Hunskor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Mueller; Niemeier; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Warner; Winrich; Zaiser

Engrossed HB 1250 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1310: A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to reassessment of property that was formerly a commercial grain elevator; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

Engrossed HB 1310 passed and the title was agreed to.

MOTION

REP. BERG MOVED that HB 1336 be rereferred to the **Education Committee**, which motion prevailed. Pursuant to Rep. Berg's motion, HB 1336 was rereferred.

SECOND READING OF HOUSE BILL

HB 1436: A BILL for an Act to amend and reenact subsection 4 of section 43-17-18 of the North Dakota Century Code, relating to licensure of physicians.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

Engrossed HB 1436 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1037: A BILL for an Act to amend and reenact sections 50-12-01, 50-12-02, and 50-12-03, subsection 1 of section 50-12-03.2, subsection 3 of section 50-12-04, sections 50-12-06, 50-12-07, and 50-12-08, subsection 1 of section 50-12-10, and sections 50-12-12, 50-12-14.1, and 50-12-17 of the North Dakota Century Code, relating to licensure of child-placing agencies and registration of adoption placement facilitators; to repeal section 50-12-13 of the North Dakota Century Code, relating to child-placing agency licensure appeals; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglen; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

NAYS: Pollert

Engrossed HB 1037 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1056: A BILL for an Act to amend and reenact subsection 55 of section 40-05-01 of the North Dakota Century Code, relating to ownership by a municipality of property located outside this state.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglen; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

NAYS: Delzer

Engrossed HB 1056 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1137: A BILL for an Act to amend and reenact section 26.1-02-03 of the North Dakota Century Code, relating to requirements for an insurance company to do business in this state; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

Engrossed HB 1137 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1221: A BILL for an Act to amend and reenact sections 23-07.3-01 and 23-07.3-02, subsections 1 and 10 of section 23-07.5-01, and subsections 3, 5, and 6 of section 23-07.5-02 of the North Dakota Century Code, relating to testing for contagious diseases; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

NAYS: Weisz

Engrossed HB 1221 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1386: A BILL for an Act to provide for a legislative council study of bonds required by law.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 9 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Warner; Warnke; Weiler; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

NAYS: Bellew; Carlson; Clark; Iverson; Ruby; Skarphol; Timm; Wald; Weisz

Engrossed HB 1386 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1119: A BILL for an Act to create and enact a new chapter to title 15 of the North Dakota Century Code, relating to establishing the Indian cultural education trust; and to provide a continuing appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

NAYS: Iverson

HB 1119 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1120: A BILL for an Act to amend and reenact section 39-08-01.3 of the North Dakota Century Code, relating to driving under the influence of intoxicating liquor repeat offenders and ignition interlock devices.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 65 YEAS, 29 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Berg; Bernstein; Boehning; Boucher; Carlisle; Clark; DeKrey; Delmore; Dosch; Eckre; Ekstrom; Glassheim; Gulleston; Haas; Hanson; Hawken; Herbel; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Pietsch; Porter; Potter; Price; Rennerfeldt; Sandvig; Skarphol; Svedjan; Tieman; Uglem; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

NAYS: Bellew; Belter; Boe; Brusegaard; Carlson; Delzer; Devlin; Drovdal; Froelich; Froseth; Galvin; Grande; Grosz; Headland; Iverson; Kasper; Kreidt; Niemeier; Pollert; Ruby; Schmidt; Severson; Sitte; Solberg; Thoreson; Thorpe; Timm; Wald; Wrangham

HB 1120 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1152: A BILL for an Act to amend and reenact section 14-05-03 of the North Dakota Century Code, relating to causes for divorce; and to repeal section 14-05-09.1 of the North Dakota Century Code, relating to the definition of irreconcilable differences.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 31 YEAS, 63 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Bernstein; Boehning; Carlson; Delzer; Devlin; Galvin; Grande; Herbel; Iverson; Kasper; Klein, M.; Koppelman; Metcalf; Nicholas; Onstad; Pollert; Price; Rennerfeldt; Ruby; Sandvig; Severson; Sitte; Skarphol; Thoreson; Timm; Weiler; Weisz; Wieland; Wrangham

NAYS: Aarsvold; Amerman; Berg; Boe; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Glassheim; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klemin; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Monson; Mueller; Nelson; Niemeier; Norland; Nottestad; Pietsch; Porter; Potter; Schmidt; Solberg; Svedjan; Thorpe; Tieman; Uglem; Wald; Warner; Warnke; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

HB 1152 lost.

SECOND READING OF HOUSE BILL

HB 1173: A BILL for an Act to create and enact section 30.1-08-02.1 of the North Dakota Century Code, relating to execution of a will in a nursing home.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 86 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Boehning; Drovdal; Galvin; Maragos; Ruby; Wieland; Zaiser

NAYS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Eckre; Ekstrom; Froelich; Froseth; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wikenheiser; Williams; Winrich; Wrangham; Speaker Wentz

HB 1173 lost.

SECOND READING OF HOUSE BILL

HB 1240: A BILL for an Act to provide for a preference to residents in hiring for employment by the state.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 7 YEAS, 86 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Boucher; Brusegaard; Froelich; Hanson; Kerzman; Kreidt; Niemeier

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

ABSENT AND NOT VOTING: Nicholas

HB 1240 lost.

SECOND READING OF HOUSE BILL

HB 1251: A BILL for an Act to amend and reenact section 12.1-06.1-08 of the North Dakota Century Code, relating to computer crimes; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

ABSENT AND NOT VOTING: Boucher; Timm

HB 1251 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1279: A BILL for an Act to create and enact a new subsection to section 43-33-14 of the North Dakota Century Code, relating to duties of the board of hearing aid specialists; and to amend and reenact section 43-33-01, subsection 2 of section 43-33-02, section 43-33-02.1, subsection 2 of section 43-33-03, section 43-33-04, subsection 2 of section 43-33-08, sections 43-33-10 and 43-33-11, subsection 2 of section 43-33-12, section 43-33-15, subsection 2 of section 43-37-03, and subdivision m of subsection 1 of section 43-46-01 of the North Dakota Century Code, relating to hearing aid specialists.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

ABSENT AND NOT VOTING: Warner

HB 1279 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1285: A BILL for an Act relating to copies of credit reports by consumer reporting agencies.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 34 YEAS, 57 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Bernstein; Boe; Boehning; Boucher; Delzer; Dosch; Froelich; Galvin; Glassheim; Gullerson; Headland; Hunskor; Iverson; Kasper; Kempenich; Kerzman; Meier; Metcalf; Niemeier; Onstad; Pollert; Ruby; Sandvig; Sitte; Solberg; Thoreson; Warner; Weiler; Winrich; Wrangham; Zaiser

NAYS: Belter; Berg; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Drovdal; Eckre; Ekstrom; Froseth; Grande; Grosz; Haas; Hanson; Hawken; Herbel; Johnson, D.;

Johnson, N.; Keiser; Kelsch, R.; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Mueller; Nicholas; Norland; Nottestad; Pietsch; Porter; Potter; Price; Rennerfeldt; Schmidt; Severson; Skarphol; Svedjan; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weisz; Wieland; Wikenheiser; Williams; Speaker Wentz

ABSENT AND NOT VOTING: Kelsh, S.; Monson; Nelson

HB 1285 lost.

SECOND READING OF HOUSE BILL

HB 1286: A BILL for an Act relating to copies of credit reports under certain circumstances.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 81 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Boehning; Froelich; Iverson; Kasper; Kerzman; Koppelman; Nicholas; Ruby; Thoreson; Weiler

NAYS: Aarsvold; Berg; Bernstein; Boe; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

ABSENT AND NOT VOTING: Belter

HB 1286 lost.

SECOND READING OF HOUSE BILL

HB 1288: A BILL for an Act to amend and reenact section 40-49-10 of the North Dakota Century Code, relating to the compensation of members of a board of park commissioners.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

NAYS: Carlson; Clark; Grande; Skarphol

ABSENT AND NOT VOTING: Maragos

HB 1288 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1298: A BILL for an Act to amend and reenact section 5-01-17 of the North Dakota Century Code, relating to domestic winery licenses; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 72 YEAS, 22 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Berg; Bernstein; Boe; Boehning; Boucher; Carlisle; Clark; DeKrey; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Solberg; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Zaiser; Speaker Wentz

NAYS: Bellew; Belter; Brusegaard; Carlson; Delmore; Delzer; Eckre; Grande; Grosz; Guleson; Johnson, D.; Kelsch, R.; Kingsbury; Nicholas; Niemeier; Pietsch; Potter; Skarphol; Svedjan; Warnke; Winrich; Wrangham

HB 1298 passed, the title was agreed to, and the emergency clause was declared carried.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1092, HB 1227, HB 1237, HB 1266, HB 1283, HCR 3002, HCR 3003, HCR 3011, HCR 3012, HCR 3013, HCR 3018, HCR 3020.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2130, SB 2134, SB 2168, SB 2180, SB 2196, SB 2202, SB 2229, SB 2254, SB 2270.

MEMORIAL COMMITTEE REPRESENTATIVES

Rep. Herbel, Chairman
Rep. Nottestad, Co-Chairman
Rep. Niemeier
Rep. Ruby
Rep. Warner

FIRST READING OF SENATE BILLS

SB 2115: A BILL for an Act to amend and reenact subsection 7 of section 49-02-02 of the North Dakota Century Code, relating to market monitoring information received from the market monitor of the midwest independent system operator, incorporated.

Was read the first time and referred to the **Natural Resources Committee**.

SB 2121: A BILL for an Act to amend and reenact section 26.1-03-07 of the North Dakota Century Code, relating to annual statement filings by insurance companies.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2122: A BILL for an Act to amend and reenact subsection 4 of section 26.1-33.2-02 of the North Dakota Century Code, relating to annual licenses of viatical settlement providers; and to declare an emergency.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2123: A BILL for an Act to amend and reenact sections 26.1-44-02 and 26.1-44-08 of the North Dakota Century Code, relating to surplus lines insurance.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2124: A BILL for an Act to amend and reenact section 4-09-13 of the North Dakota Century Code, relating to noxious weed seed tolerances.

Was read the first time and referred to the **Agriculture Committee**.

SB 2126: A BILL for an Act to amend and reenact subsection 6 of section 61-04-01.1, subsection 3 of section 61-04-05, and subsection 3 of section 61-04-05.1 of the North Dakota Century Code, relating to the definition of irrigation use, water permit applications, and water permit hearings.

Was read the first time and referred to the **Natural Resources Committee**.

SB 2128: A BILL for an Act to amend and reenact sections 13-03.1-05, 13-04.1-04, 13-05-04, subsection 1 of section 51-17-07, and section 51-17-10 of the North Dakota Century Code, relating to consumer finance, money broker, collection agency, and sale of check license fees.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2129: A BILL for an Act to amend and reenact section 6-03-34 of the North Dakota Century Code, relating to bank dividends and surplus funds; and to declare an emergency.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2131: A BILL for an Act to amend and reenact sections 43-36-14, 43-36-15, and 43-36-16 of the North Dakota Century Code, relating to soil classifier application and registration fees.

Was read the first time and referred to the **Agriculture Committee**.

SB 2132: A BILL for an Act to repeal section 37-10-03.5 of the North Dakota Century Code, relating to the national guard armory maintenance and repair board.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

SB 2136: A BILL for an Act to amend and reenact section 15.1-13-03 of the North Dakota Century Code, relating to compensation of members of the education standards and practices board.

Was read the first time and referred to the **Education Committee**.

SB 2138: A BILL for an Act to amend and reenact section 54-03-03 of the North Dakota Century Code, relating to filing certificates of election and appointments with the legislative assembly and making the roll of members of the legislative assembly.

Was read the first time and referred to the **Judiciary Committee**.

SB 2139: A BILL for an Act to amend and reenact subsection 3 of section 43-29-07.2 of the North Dakota Century Code, relating to temporary permits to practice veterinary medicine.

Was read the first time and referred to the **Agriculture Committee**.

SB 2142: A BILL for an Act to amend and reenact section 43-40-15 of the North Dakota Century Code, relating to the licensure of occupational therapists and occupational therapy assistants; and to repeal section 43-40-17 of the North Dakota Century Code, relating to consultations and evaluations performed by occupational therapists.

Was read the first time and referred to the **Human Services Committee**.

SB 2148: A BILL for an Act to create and enact a new subsection to section 53-06.1-12.3 of the North Dakota Century Code, relating to installment payments on delinquent taxes or penalties; and to amend and reenact section 53-06.1-01, subsections 2, 3, and 4 of section 53-06.1-01.1, section 53-06.1-03, subsections 1, 4, and 5 of section 53-06.1-06, sections 53-06.1-07.2 and 53-06.1-10, subsections 1 and 2 of section 53-06.1-11.1, subsections 3 and 5 of section 53-06.1-12, subsections 1, 2, 3, 4, and 6 of section 53-06.1-14, subsections 4, 8, 9, 10, and 11 of section 53-06.1-15.1, and subsection 1 of section 53-06.1-16 of the North Dakota Century Code, relating to games of chance.

Was read the first time and referred to the **Judiciary Committee**.

SB 2152: A BILL for an Act to amend and reenact subsection 3 of section 47-30.1-12, section 47-30.1-19.1, subsection 7 of section 47-30.1-20, section 47-30.1-21.1, subsection 1 of section 47-30.1-22, section 47-30.1-24, and subsection 1 of section 47-30.1-35 of the North Dakota Century Code, relating to the enforcement of the Uniform Unclaimed Property Act.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2155: A BILL for an Act to create and enact a new subsection to section 50-09-01 of the North Dakota Century Code, relating to the definition of work activity for purposes of the temporary assistance for needy families program; and to amend and reenact subdivision m of subsection 2 of section 14-08.1-05.1 and section 50-09-29 of the North Dakota Century Code, relating to work and the requirements for the administration of temporary assistance for needy families.

Was read the first time and referred to the **Human Services Committee**.

SB 2156: A BILL for an Act to amend and reenact section 43-41-01, subsections 2, 4, and 5 of section 43-41-02, subsection 1 of section 43-41-03, sections 43-41-04, 43-41-04.1, 43-41-05, and 43-41-07, subsections 1, 2, and 5 of section 43-41-08, and sections

43-41-09, 43-41-11, and 43-41-12 of the North Dakota Century Code, relating to the licensure of social workers.

Was read the first time and referred to the **Human Services Committee**.

SB 2157: A BILL for an Act to adopt the Uniform Athlete Agents Act, relating to the regulation of athlete agents; to repeal chapter 9-15 of the North Dakota Century Code, relating to the regulation of athlete agents; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

SB 2158: A BILL for an Act to create and enact two new sections to chapter 13-03.1, two new sections to chapter 13-04.1, a new section to chapter 13-05, and two new sections to chapter 13-08 of the North Dakota Century Code, relating to authority to remove officers and employees from consumer finance, money broker, and deferred presentment service provider licensees and responses to department of financial institutions information requests; to amend and reenact sections 13-03.1-06, 13-03.1-10, 13-03.1-18, 13-04.1-06, 13-04.1-07, 13-04.1-13, 13-05-06, 13-05-07, 13-05-10, 13-08-11, and 13-08-15 of the North Dakota Century Code, relating to consumer finance company, money broker, and collection agency applicant qualifications, penalties for violating the consumer finance, money broker, collection agency, and deferred presentment service provider acts, and electronic record retention; and to provide a penalty.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2159: A BILL for an Act to amend and reenact subsection 2 of section 5-01-17, subsection 2 of section 57-35.3-02, subsections 3, 4, 5, and 6 of section 57-36-09.5, section 57-38-30.3, subsection 15 of section 57-39.2-04, subsection 1 of section 57-40.3-01, section 57-51-02.2, and subsections 1 and 2 of section 57-51-06 of the North Dakota Century Code, relating to farm winery license label registration, correction of statutory references in the financial institutions tax law, collection of tobacco products taxes, calculation of adjustments for individual income tax, exemption of gross receipts from contractor sales, the definition of an all-terrain vehicle for motor vehicle excise tax purposes, gross production tax on gas, and statements made by a person paying the gross production tax.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2169: A BILL for an Act to amend and reenact section 15.1-09-36 of the North Dakota Century Code, relating to prohibiting a school board from charging fees for textbooks and to student fees for the use of musical instruments.

Was read the first time and referred to the **Education Committee**.

SB 2171: A BILL for an Act to amend and reenact subdivision d of subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to lodging reimbursement for state officers and employees.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

SB 2173: A BILL for an Act to amend and reenact sections 11-11.1-03 and 11-11.1-04 of the North Dakota Century Code, relating to tourism promotion by a job development authority or industrial development organization; and to provide an effective date.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2176: A BILL for an Act to amend and reenact section 54-52.1-03.1 of the North Dakota Century Code, relating to participation by retired political subdivision employees in the uniform group insurance program.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2177: A BILL for an Act to amend and reenact section 15.1-21-03 of the North Dakota Century Code, relating to instructional time for high school units.

Was read the first time and referred to the **Education Committee**.

SB 2179: A BILL for an Act to amend and reenact section 49-10.1-19 of the North Dakota Century Code, relating to the provision of a written critical incident stress debriefing policy.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2183: A BILL for an Act to amend and reenact section 6-06-21 of the North Dakota Century Code, relating to maintaining a reserve fund for state-chartered credit unions.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2184: A BILL for an Act to amend and reenact section 26.1-26.4-04 of the North Dakota Century Code, relating to minimum standards for utilization review agents.

Was read the first time and referred to the **Human Services Committee**.

SB 2185: A BILL for an Act to repeal sections 44-01-08, 44-01-09, and 44-01-10 of the North Dakota Century Code, relating to bonds of public officers other than those furnished by the state bonding fund.

Was read the first time and referred to the **Judiciary Committee**.

SB 2187: A BILL for an Act to amend and reenact section 26.1-21-09.1 of the North Dakota Century Code, relating to bonds of agents appointed to distribute hunting and fishing licenses or stamps.

Was read the first time and referred to the **Natural Resources Committee**.

SB 2188: A BILL for an Act to create and enact a new section to chapter 50-12 of the North Dakota Century Code, relating to moral or religious objections by a child-placing agency; and to amend and reenact section 50-12-03 of the North Dakota Century Code, relating to licensure of child-placing agencies.

Was read the first time and referred to the **Human Services Committee**.

SB 2190: A BILL for an Act to amend and reenact sections 5-01-08 and 5-02-06 of the North Dakota Century Code, relating to persons under twenty-one years of age and licensed premises where alcohol beverages are sold.

Was read the first time and referred to the **Judiciary Committee**.

SB 2191: A BILL for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century Code, relating to retention of a copy of a customer's state-issued identification by a financial institution trust company or credit union.

Was read the first time and referred to the **Transportation Committee**.

SB 2197: A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to the payment of retention incentives by school boards; and to declare an emergency.

Was read the first time and referred to the **Education Committee**.

SB 2199: A BILL for an Act to create and enact a new section to chapter 4-22 of the North Dakota Century Code, relating to training for newly elected or appointed soil conservation district supervisors; and to amend and reenact section 4-22-04 of the North Dakota Century Code, relating to the soil conservation committee chairmanship.

Was read the first time and referred to the **Agriculture Committee**.

SB 2200: A BILL for an Act to amend and reenact section 15-62.2-03.3 of the North Dakota Century Code, relating to the student financial assistance and scholars programs.

Was read the first time and referred to the **Education Committee**.

SB 2201: A BILL for an Act to create and enact a new section to chapter 36-15 of the North Dakota Century Code, relating to waivers of requirements for calthood vaccination against brucellosis; and to amend and reenact section 36-15-21 of the North Dakota Century Code, relating to requirements for calthood vaccination against brucellosis.

Was read the first time and referred to the **Agriculture Committee**.

SB 2204: A BILL for an Act to amend and reenact sections 28-21-04.1, 32-09.1-07, 32-09.1-20, and 32-09.1-21 of the North Dakota Century Code, relating to the expiration of a garnishment.

Was read the first time and referred to the **Judiciary Committee**.

SB 2205: A BILL for an Act to amend and reenact section 26.1-03-16 of the North Dakota Century Code, relating to extension of the time for an insurance company to file a statement with the insurance commissioner.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2206: A BILL for an Act to amend and reenact section 4-09-14 of the North Dakota Century Code, relating to requirements for the sale of seed.

Was read the first time and referred to the **Agriculture Committee**.

SB 2207: A BILL for an Act to amend and reenact section 39-06-14 of the North Dakota Century Code, relating to license examinations.

Was read the first time and referred to the **Transportation Committee**.

SB 2209: A BILL for an Act to create and enact five new sections to chapter 36-09 of the North Dakota Century Code, relating to brand ownership, recording, and inspection; to amend and reenact sections 36-09-02.1, 36-09-04, 36-09-06, 36-09-09, 36-09-10, 36-09-13,

36-09-20, 36-09-23, 36-13-01, 36-13-02, 36-13-03.1, 36-13-04, 36-13-05, 36-13-06, 36-13-07, 36-13-08, 36-22-01, and 36-22-06 of the North Dakota Century Code, relating to brand recording, cancellation, and inspection, bills of sale, and estrays; to repeal sections 36-09-03 and 36-13-03 of the North Dakota Century Code, relating to brands or marks on poultry and the sale of estrays; to provide a penalty; to provide an effective date; and to provide an expiration date.

Was read the first time and referred to the **Agriculture Committee**.

SB 2210: A BILL for an Act to amend and reenact section 26.1-36-08 of the North Dakota Century Code, relating to group health policy and health service contract substance abuse coverage; and to provide for application.

Was read the first time and referred to the **Human Services Committee**.

SB 2211: A BILL for an Act to amend and reenact section 12.1-32-02.1 of the North Dakota Century Code, relating to mandatory prison terms for armed offenders; to provide a penalty; and to declare an emergency.

Was read the first time and referred to the **Judiciary Committee**.

SB 2213: A BILL for an Act to create and enact three new subsections to section 39-01-01 and a new subsection to section 39-12-04 of the North Dakota Century Code, relating to definitions of motor vehicles and the width of motor vehicles; and to amend and reenact subsections 25 and 84 of section 39-01-01 of the North Dakota Century Code, relating to the definitions of house car and travel trailer.

Was read the first time and referred to the **Transportation Committee**.

SB 2217: A BILL for an Act to create and enact a new section to chapter 43-20 of the North Dakota Century Code, relating to the administration of anesthesia by dental hygienists under dental supervision.

Was read the first time and referred to the **Human Services Committee**.

SB 2218: A BILL for an Act to amend and reenact section 43-43-04 of the North Dakota Century Code, relating to the creation of limited or specialty practice licenses within the practice of environmental health.

Was read the first time and referred to the **Human Services Committee**.

SB 2220: A BILL for an Act to amend and reenact section 36-24-01 and subsection 3 of section 36-24-10 of the North Dakota Century Code, relating to poultry inspections.

Was read the first time and referred to the **Agriculture Committee**.

SB 2235: A BILL for an Act to create and enact a new subsection to section 26.1-34-02 of the North Dakota Century Code, relating to minimum nonforfeiture amounts of annuity contracts.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2245: A BILL for an Act to create and enact a new section to chapter 50-09 of the North Dakota Century Code, relating to disclosure of the identity of child support obligors.

Was read the first time and referred to the **Human Services Committee**.

SB 2253: A BILL for an Act to amend and reenact subsection 4 of section 43-17-07.1 of the North Dakota Century Code, relating to the powers of the board of medical examiners.

Was read the first time and referred to the **Human Services Committee**.

SB 2267: A BILL for an Act to create and enact a new subsection to section 6-08.4-01 and a new section to chapter 6-08.4 of the North Dakota Century Code, relating to banking definitions and branch restrictions; and to amend and reenact sections 6-08.4-02, 6-08.4-03, 6-08.4-05, and 6-08.4-06 of the North Dakota Century Code, relating to approval by federal regulatory authorities, authority of a bank to branch interstate, notice and filing requirements, and powers of banks operating through interstate branches.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2274: A BILL for an Act to amend and reenact sections 10-30.5-05 and 54-34.3-05 of the North Dakota Century Code, relating to the duties of the director of the department of commerce division of economic development and finance.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2301: A BILL for an Act to amend and reenact section 39-10-43 of the North Dakota Century Code, relating to the type of sign that may be placed at an out-of-service railroad grade crossing.

Was read the first time and referred to the **Transportation Committee**.

SB 2303: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to income limitations under the farm residence and farm buildings property tax exemptions; and to provide an effective date.
Was read the first time and referred to the **Finance and Taxation Committee**.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4001: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of allowing human service centers additional funding flexibility.
Was read the first time and referred to the **Human Services Committee**.

SCR 4002: A concurrent resolution urging Congress to pay for depredation, personal injury damage, and property damage caused by elk that move from the Theodore Roosevelt National Park.
Was read the first time and referred to the **Natural Resources Committee**.

SCR 4006: A concurrent resolution commending the volunteers and staff of the Dollars for Scholars program for being selected to establish a state office and commending the 7,500 young North Dakota scholarship recipients for their hard work and dedication to the pursuit of education.
Was read the first time and referred to the **Education Committee**.

REPORT OF STANDING COMMITTEE

HB 1203: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1203 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1206: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1206 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1209: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1209 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1217: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1217 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "ten" with "five"

Page 1, line 13, remove the overstrike over "~~three~~" and remove "ten"

Page 1, line 19, remove the overstrike over "~~three~~" and remove "ten"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1235: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1235 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1246: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1246 was placed on the Sixth order on the calendar.

Page 1, line 3, after "11-09.1-05" insert "and section 27-05-06"

Page 1, line 4, after "county" insert "and the jurisdiction of the district court"

Page 1, line 16, replace "adopts" with "has adopted" and remove "and"

Page 1, line 17, remove "provides for the enforcement of criminal penalties in the charter"

Page 1, after line 20, insert:

"SECTION 3. AMENDMENT. Section 27-05-06 of the North Dakota Century Code is amended and reenacted as follows:

27-05-06. Jurisdiction of district courts. The district courts of this state have the general jurisdiction conferred upon ~~them~~ the courts by the constitution, and in the exercise of ~~such that~~ jurisdiction they the courts have power to issue all writs, process, and commissions provided therein or by law or which may be necessary for the due execution of the powers with which ~~they~~ the courts are vested. ~~Such~~ The courts have:

1. Common-law jurisdiction and authority within their respective judicial districts for the redress of all wrongs committed against the laws of this state affecting persons or property.
2. Power to hear and determine all civil actions and proceedings.
3. All the powers, according to the usages of courts of law and equity, necessary to the full and complete jurisdiction of the causes and parties and the full and complete administration of justice, and to carrying into effect ~~their~~ the courts' judgments, orders, and other determinations, subject to a reexamination by the supreme court as provided by law.
4. Jurisdiction of appeals from all final judgments of municipal judges and from the determinations of inferior officers, boards, or tribunals, in ~~such the~~ cases and pursuant to ~~such the~~ regulations as may be prescribed by law.
5. Disputed property line proceedings pursuant to section 11-20-14.1.
6. Power to hear and determine all actions and proceedings arising from the enforcement of home rule charter ordinances."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1318: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1318 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1338: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1338 was placed on the Sixth order on the calendar.

Page 1, line 1, after "sections" insert "57-20-22,"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 57-20-22 of the North Dakota Century Code is amended and reenacted as follows:

57-20-22. Disposition of penalty and interest. All penalties on general taxes and interest on certificates of sale issued, or deemed to be issued to the county, or tax liens against the property belong to the county and become a part of the general fund or of ~~such any~~ any other fund as the county commissioners may direct, except penalties and interest collected on ~~the following items:~~

- 4- ~~Taxes~~ taxes and parts of taxes due to townships, cities, school districts, and park districts; and
- 2- ~~Special on special~~ Special on special assessments for public improvements, which must be paid to the municipality levying the same, or whatever other taxing district or agency thereof is entitled to the original amount of ~~such the~~ taxes or assessments."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1348: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1348 was placed on the Sixth order on the calendar.

Page 1, line 17, after the first "the" insert "first" and replace "in which" with "after"

Page 2, line 5, after "line" insert ", and substantial expansion" means an increase in carrying capacity of fifty percent or more"

Page 2, line 19, after "the" insert "first"

Page 2, line 20, replace "in which" with "after"

Page 3, line 8, after "line" insert ", and substantial expansion" means an increase in carrying capacity of fifty percent or more"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1375: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1375 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "an appropriation" with "a directive to the agricultural products utilization commission concerning use of appropriated funds"

Page 1, line 12, remove "or rented"

Page 1, line 14, remove "or operator"

Page 1, line 18, replace "First" with "first"

Page 2, line 7, after "section" insert "in a taxable year" and replace "seven hundred fifty" with "one-half of the funds available for reimbursements for the biennium"

Page 2, line 8, remove "thousand dollars for any taxable year" and replace "are payable in the order in" with "must be prorated among qualified applicants if"

Page 2, line 9, remove "which" and after "applications" insert "for reimbursement"

Page 2, line 10, after "commission" insert "which exceed funds available for reimbursement"

Page 2, line 11, replace "has the same meaning as in" with "means an individual who is a resident of this state and meets the qualifications for a beginning farmer as established by the industrial commission for Bank of North Dakota loan programs."

Page 2, remove line 12

Page 2, line 15, replace "federal taxable income" with "net income as determined on schedule f of the federal income tax return" and remove "from farming or ranching as a"

Page 2, line 16, remove "beginning farmer"

Page 2, line 17, remove "or operator"

Page 2, line 18, replace "has the same meaning as in section 57-38-67" with "means an individual who is a resident of this state and meets the qualifications for a beginning farmer as established by the industrial commission for Bank of North Dakota loan programs"

Page 3, line 17, replace "federal taxable income" with "net income as determined on schedule f of the federal income tax return" and remove "from farming or ranching"

Page 3, line 18, remove "as a beginning farmer"

Page 3, line 19, remove "or operator"

Page 3, line 20, replace "has the same meaning as in section 57-38-67" with "means an individual who is a resident of this state and meets the qualifications for a beginning farmer as established by the industrial commission for Bank of North Dakota loan programs"

Page 3, replace lines 21 through 25 with:

"SECTION 4. USE OF AGRICULTURAL PRODUCTS UTILIZATION COMMISSION APPROPRIATED FUNDS. The agricultural products utilization commission shall provide beginning farmer property tax reimbursement under section 1 of this Act for the biennium beginning July 1, 2003, and ending June 30, 2005, in an amount not exceeding fifty percent of the total funds appropriated to the agricultural products utilization commission for all purposes for the biennium beginning July 1, 2003, and ending June 30, 2005."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1381: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1381 was placed on the Sixth order on the calendar.

Page 5, line 15, replace "\$95,000,000" with "\$90,000,000"

Page 5, line 17, after "enhancements" insert "in two equal annual installments"

Page 5, after line 22, insert:

"For purposes of section 57-15-31, the amount estimated to be received by a school district under this section in the taxable year must be considered estimated revenues from sources other than direct property taxes and must be deducted from estimated expenditures to determine the maximum property tax levy for the school district."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1390: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1390 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1399: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1399 was placed on the Sixth order on the calendar.

Page 1, line 1, after "pharmaceutical" insert "manufacturers" and remove "company"

Page 1, line 2, replace "department of human services" with "office of insurance commissioner" and replace the comma with a semicolon

Page 1, line 4, replace "department of human services," with "insurance commissioner"

Page 1, line 5, remove "through its medical division,"

Page 1, line 7, after "manufacturers" insert ", including free discount and coverage programs" and replace "department" with "commissioner"

Page 1, line 10, replace "department" with "commissioner"

Page 1, line 14, replace "\$50,000" with "\$100,000"

Page 1, line 15, replace "department of human services" with "insurance commissioner"

Page 1, line 16, replace "prescription" with "pharmaceutical manufacturers" and replace "assistance" with "access"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1400: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1400 was placed on the Sixth order on the calendar.

Page 1, line 18, replace "2005" with "2007"

Page 1, line 23, replace "2005" with "2007"

Page 2, line 2, replace "2005" with "2007"

Page 2, line 28, replace "2005" with "2007"

Page 3, line 2, replace "2005" with "2007"

Page 3, line 6, replace "2005" with "2007"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1422: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1422 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1441: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1441 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1471: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1471 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first comma insert "and" and remove ", subsection 9 of section 57-39.2-01, and"

Page 1, line 3, remove "subsections 5 and 8 of section 57-40.2-01"

Page 1, line 4, after the second comma insert "and"

Page 1, line 5, remove ", and the sales and use tax application to newspapers and"

Page 1, line 6, remove "magazines" and remove ", subsection 16 of section 57-39.2-04, and subsection 6 of"

Page 1, line 7, remove "section 57-40.2-04"

Page 1, line 8, remove "and the sales tax exemption for newsprint and ink used in"

Page 1, line 9, remove "publication of a newspaper"

Page 6, replace lines 16 through 28 with:

1. a. For the first three thousand dollars of taxable income, at the rate of ~~three~~ two and two-tenths percent.
- b. On all taxable income above three thousand dollars and not in excess of eight thousand dollars, at the rate of ~~four and one-half~~ three and two-tenths percent.
- c. On all taxable income above eight thousand dollars and not in excess of twenty thousand dollars, at the rate of ~~six~~ four and three-tenths percent.
- d. On all taxable income above twenty thousand dollars, and not in excess of thirty thousand dollars, at the rate of ~~seven~~ five and one-half four-tenths percent.

- e. On all taxable income above thirty thousand dollars, and not in excess of fifty thousand dollars, at the rate of ~~nine~~ six and five-tenths percent.
- f. On all taxable income above fifty thousand dollars, at the rate of ~~ten~~ seven and one-half five-tenths percent."

Page 7, remove lines 3 through 31

Page 8, remove lines 1 through 24

Page 8, line 25, remove ", subsection 16 of section 57-39.2-04, and"

Page 8, line 26, remove "subsection 6 of section 57-40.2-04" and replace "are" with "is"

Page 8, line 27, replace "Sections 1 through 3 of this" with "This" and replace "and the repeal of" with "is"

Page 8, line 28, remove "chapter 57-38.4 are" and remove "Sections 4"

Page 8, remove lines 29 and 30

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1480: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1480 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "or of quick-response unit personnel"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1498: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1498 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1499: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1499 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3010, as amended, Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3010, as amended, was placed on the Sixth order on the calendar.

Page 1, line 3, after "graze" insert "their traditional numbers of" and after "grasslands" insert "and that allows the mineral resources within the national grasslands to be developed in a reasonable manner"

Page 1, line 8, after the second "the" insert "Little"

Page 1, line 10, remove "and is shared"

Page 1, line 11, remove "by North Dakota and South Dakota"

Page 1, line 12, replace "public" with "federal"

Page 1, line 14, replace "more than" with "approximately"

Page 1, line 15, after the first "the" insert "Little"

Page 1, line 17, replace "190" with "467"

Page 1, line 18, replace "public" with "federal"

Page 1, line 25, replace "potential" with "potentially major" and remove "of 25 percent"

Page 2, line 1, remove "the available", remove "land", after the first "in" insert "the national grasslands located in", after the first "a" insert "devastating", replace "of 99 jobs" with "to the fragile economy of these rural areas of North Dakota", replace the second "a" with "an economic", and replace the second "of" with "to residents of the counties; and"

Page 2, line 2, replace "\$1.4 million in income to ranchers" with:

WHEREAS, 30 percent of North Dakota's oil and gas wells, which produce 36 percent of the crude oil supply for the Tesoro refinery in Mandan, are located within the Little Missouri National Grassland; and

WHEREAS, oil and gas exploration and production and related activities have historically accounted for 58 percent of the economy of the four North Dakota counties comprising the Dakota Prairie Grasslands; and

WHEREAS, the proposed management plan will eliminate or restrict access to 234,460 acres of the 992,870 acres in the grasslands, making 24 percent of the national grasslands virtually off limits for oil and gas exploration and development, resulting in the loss of additional jobs and further damage to the economies of the state as a whole and the local communities"

Page 2, line 7, after "graze" insert "their traditional numbers of"

Page 2, line 8, after "grasslands" insert "and that allows the mineral resources within the national grasslands to be developed in a reasonable manner"

Renumber accordingly

MOTION

REP. MONSON MOVED that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, February 5, 2003, which motion prevailed.

The House stood adjourned pursuant to Representative Monson's motion.

BRADLEY C. FAY, Chief Clerk